



ITEM REPORT PLANNING AND ZONING COMMISSION

Agenda Date: 8/12/2026
Agenda Section: New Business

TO: Baxter Planning and Zoning Commission

FROM: Matthew Gindele, City Planner

REQUEST: **PUBLIC HEARING.** PUBLIC HEARING. Conditional Use Permit to allow bicycle rental and sales for property located in the southeast corner of State Highway 210 and Cypress Drive having PID 40080799 (city file 2026-024)

APPLICANT: Justing Skillings, 2257 Cottage Wood Drive SW, Nisswa, MN 56468

ZONING: C-2, Regional Commercial

1. Application Request

The applicant is requesting approval of a conditional use permit to allow equipment (electronic bicycle) rental and sales on the 1.33 acre site.

The applicant is proposing to develop the vacant site located in the southeast corner of State Highway 210 and Cypress Drive with a 3,200-square foot E-bike sales, rental, and repair store. Access to the site would be from the existing controlled access provided to Cypress Drive. No modifications to the access or railroad crossing are proposed. The site plan includes an accessory outdoor display/sales area for bikes on the 10-foot-wide sidewalk located on northwest-facing side of the building.

2. Context

Adjacent Land Use and Zoning

	Adjacent Land Use	Zoning
North	State Highway 210/Office	HWY 210/C-2, Regional Commercial
East	Vacant/RR superfund site	I, Industry Office
South	Vacant/RR superfund site	I, Industry Office
West	Cypress Drive/retail	Cypress Drive/C-2, Regional Commercial

Natural Characteristics of the Site

The subject property is mostly open grassland with a light mix of young coniferous and deciduous trees spread across the site. The property is mostly flat with a high end on the east and northeast side that rises about six feet in elevation. There are no wetlands, floodplains, or shoreland overlay districts on the subject property. There is an existing billboard sign on the high part of the property in the northeast corner that is proposed to stay.

Utility Commission Review

The Utility Commission reviewed the application on August 5, 2026, and recommended approval of the conditional use permit subject to the following:

1. Enter into an Escrow Agreement prior to issuing a building permit.
2. Enter into a Stormwater Facilities Maintenance Agreement prior to issuing a building permit.

3. Analysis of Request

Conditional Use Permit for a Drive-through

The applicant is requesting a conditional use permit to allow equipment rental of e-bikes. The zoning ordinance states that equipment rental is allowed subject to the following standards:

- All servicing of vehicles and equipment shall occur entirely within the principal structure.

The proposed floor plan includes a service area for the bikes to be serviced in. A condition of approval has been added to the draft resolution requiring the servicing of equipment to occur within the principal structure.

- Storage and use of all flammable materials, including liquid and rags, shall conform with applicable provisions of the Minnesota Uniform Fire Code.

Use of flammable materials is limited due to the nature of the business dealing with electronic bikes rather than combustion engines and hydraulics. This requirement has been added to the draft resolution as a condition of approval.

- Parking, driveway, and circulation standards and requirements shall be subject to sections [10-5-2](#), "Off Street Parking", and [10-5-3](#), "Loading Spaces", of this title and the review and approval of the City and shall be based upon the specific needs of the operation and shall accommodate large vehicle equipment and trailers.

The parking, driveway, and circulation standards of Section 10-5-2 are being met as identified in the development table below. There is a dedicated at-grade space for equipment deliveries but it does not rise to the level of a true loading berth since it is at-grade. Additionally, the deliveries are not made by full-size semi-trucks so a full loading berth is not necessary. With that in mind, the proposed loading space complies with the standards of Section 10-5-4. A condition of approval has been added to the draft resolution requiring that the loading berth or maneuvering area shall not be used for the storage of goods or inoperable vehicles.

General CUP Standards

Staff has also reviewed the request against the general CUP standards. Section 10-7-4 of the Zoning Ordinance defines the criteria for reviewing and processing a conditional use permit (CUP). Specifically:

- A. Excessive Burden: The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.

The City finds that the e-bike rental business would not create an excessive burden on existing parks, schools, streets, and other public facilities because the use is proposed in a commercial district and the surrounding road network has been designed to support the commercial development in the vicinity of the subject property.

- B. Compatibility: The use shall be compatible with adjacent land uses so that existing uses will not be depreciated in value and there will be no deterrence to development of vacant land.

The City finds that the adjacent property is currently an undeveloped superfund site for the railroad which would not depreciate in value due to new commercial development. A superfund site is severely polluted location requiring cleanup of hazardous materials. This particular superfund site is designated as such due to the railroad's past use of the property for railroad tie dying which discharged hazardous chemicals into holding ponds on the site.

- C. Appearance: The use shall have an appearance that will not have an adverse affect (sic) upon adjacent properties.

The City finds that the proposed business would not have an adverse effect on adjacent properties because the adjacent property is all a superfund site.

- D. Overall Needs: The use, in the opinion of the planning and zoning commission shall be reasonably related to the overall needs of the city and to the existing land use.

The City finds that e-bikes are in common use today and are often used on the City's trail network. Additionally, equipment rental is commonly a part of commercial development. The use is therefore, reasonably related to the needs of the city.

- E. Consistent With Purpose: The use shall be consistent with the purposes of this title and purposes of the zoning district in which the applicant intends to locate the proposed use.

The City finds that the e-bike equipment rental business is consistent with the purposes of the zoning ordinance and the C-2 zoning district. Conditions have been added to the resolution addressing ordinance requirements for the conditional use.

- F. Comprehensive Plan: The use shall not be in conflict with the comprehensive plan of the city.

The e-bike equipment rental use would not conflict with the comprehensive plan of the city.

- G. Traffic: The use will not cause traffic hazard or congestion.

The project area is developed with a commercial road network and has been designed for commercial traffic. Therefore, the proposed use would not cause a traffic hazard or congestion.

- H. Facilities: The use shall have adequate utilities, access roads, drainage, and necessary facilities.

The site has adequate utilities, access roads, drainage, and necessary facilities.

Site Plan Review

A site plan review for the items listed in the table below is not part of the review for this application. The site plan review will occur prior to issuance of a building permit. However, staff has included the information to show that it appears that the site can be developed in compliance with ordinance requirements.

	Ordinance Requirement	Proposed	Meets/Exceed Requirements
Building Setbacks (principal structure)	35-foot front setback	42 feet	Yes
	10-foot side setback	118 feet	Yes
	30-foot rear setback	100 feet	Yes
Parking & Drive Aisle Setbacks	10-foot setback	10+ feet	Yes
Parking	13 Spaces (One Stall Per 250 sq. ft.)	15 spaces	Yes
Parking Stall Dimensions	10 feet by 18 or 20 feet	10 feet by 20 feet	Yes
Drive Aisle Dimensions	24 feet	24 feet	Yes
One Way Drive Aisle Dimensions	14 feet and 16 feet	N/A	N/A
Parking Lot Sidewalks	ADA compliant	ADA compliant	Yes
Sidewalk/Trail Connections	Encouraged	Trail Connection	Yes
Building Height	45 feet	Approx. 18 feet	Yes
Structural Coverage	50 percent	5.6 percent	Yes
Impervious Surface	88 percent (non-shoreland)	25.3 percent	Yes
Architectural	Materials from Ordinance List for C-2 Properties	LAP and vertical Wood-composite	Yes
	Earth Tone Colors	Earth Tone Colors	Yes
	Articulation-50' segments	Articulated	Yes
Landscaping			
Number of Trees	9 trees	10 trees	Yes
Size of Trees	2-inch and 6 foot	2-inch and 6 foot	Yes
Priority Placement of Trees	Front Yard & Perimeter	Front Yard/Perimeter	Yes
Number of Shrubs	8 shrubs	8 shrubs &	Yes
Size of Shrubs	3 gallon	3 gallon	Yes
Tree Species	Approved Trees List	Unknown	Unknown*

Percentage of Coniferous	30 % of required trees	30 % coniferous	Yes
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*Condition added to resolution

4. Recommendation

Staff recommends approval of the Conditional Use Permit allowing equipment rental of e-bikes, subject to the findings and conditions in the draft resolutions.

Attachments

1. Applicant Narrative
2. Site Location Map
3. Draft Resolution Approving the CUP
4. Development Plans